



# House of Representatives

## **File No. 825**

General Assembly

January Session, 2001

**(Reprint of File No. 485)**

Substitute House Bill No. 6569  
As Amended by House Amendment  
Schedules "A" and "B"

Approved by the Legislative Commissioner  
May 25, 2001

### **AN ACT CONCERNING VITAL RECORDS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-1e of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 Nothing in sections 1-1d, 3-94b to 3-94e, inclusive, 7-6, 7-51, 7-53, 7-  
4 54, [7-56,] 7-172, 9-12, 10a-207, 14-14, 14-36, 14-40a, 14-41, 14-44, 14-61,  
5 14-73, 14-214, 14-276, 17a-1, 17a-152, 17b-75, 17b-81, 17b-223, 17b-748,  
6 18-73, 18-87, 19a-512, 20-10, 20-130, 20-146, 20-188, 20-213, 20-217, 20-  
7 236, 20-250, 20-252, 20-270, 20-291, 20-316, 20-361, 20-590, 20-592, 26-38,  
8 27-140g, 29-156a, 30-1, 30-45, 30-86a, 31-222, 38a-482, 38a-609, 38a-633,  
9 38a-786, 45a-263, 45a-502, 45a-504, 45a-606, 45a-754, 46b-129, 46b-215,  
10 52-572, 53-304, 53-330, 53a-70 or 53a-87 shall impair or affect any act  
11 done, offense committed or right accruing, accrued or acquired, or an  
12 obligation, liability, penalty, forfeiture or punishment incurred prior to  
13 October 1, 1972, and the same may be enjoyed, asserted and enforced,  
14 as fully and to the same extent and in the same manner as they might  
15 under the laws existing prior to said date, and all matters civil or

16 criminal pending on said date or instituted thereafter for any act done,  
17 offense committed, right accruing, accrued, or acquired, or obligation,  
18 liability, penalty, forfeiture, or punishment incurred prior to said date  
19 may be continued or instituted under and in accordance with the  
20 provisions of the law in force at the time of the commission of said act  
21 done, offense committed, right accruing, accrued, or acquired, or  
22 obligation, liability, penalty, forfeiture or punishment incurred.

23 Sec. 2. Section 7-36 of the general statutes is repealed and the  
24 following is substituted in lieu thereof:

25 [The term "registrar of vital statistics" or "registrar" as used in this  
26 chapter means the registrar of births, marriages and deaths or any  
27 public official charged with the care of returns relating to vital  
28 statistics.]

29 As used in this chapter and sections 19a-40 to 19a-45, inclusive,  
30 unless the context otherwise requires:

31 (1) "Registrar of vital statistics" or "registrar" means the registrar of  
32 births, marriages, deaths and fetal deaths or any public official charged  
33 with the care of returns relating to vital statistics;

34 (2) "Registration" means the process by which vital records are  
35 completed, filed and incorporated into the official records of the  
36 department;

37 (3) "Institution" means any public or private facility, that provides  
38 inpatient medical, surgical or diagnostic care or treatment, or nursing,  
39 custodial or domiciliary care, or to which persons are committed by  
40 law;

41 (4) "Vital records" means a certificate of birth, death, fetal death or  
42 marriage;

43 (5) "Certified copy" means a copy of a birth, death, fetal death or  
44 marriage certificate that (A) includes all information on the certificate  
45 except such information that is nondisclosable by law, (B) is issued or

46 transmitted by any registrar of vital statistics, (C) includes an attested  
47 signature and the raised seal of an authorized person, and (D) if  
48 submitted to the department, includes all information required by the  
49 commissioner;

50 (6) "Uncertified copy" means a copy of a birth, death, fetal death or  
51 marriage certificate that includes all information contained in a  
52 certified copy except an original attested signature and a raised seal of  
53 an authorized person;

54 (7) "Authenticate" or "authenticated" means to affix to a vital record  
55 in paper format the official seal, or to affix to a vital record in electronic  
56 format the user identification, password, or other means of electronic  
57 identification, as approved by the department, of the creator of the  
58 vital record, or the creator's designee, by which affixing the creator of  
59 such paper or electronic vital record, or the creator's designee, affirms  
60 the integrity of such vital record;

61 (8) "Attest" means to verify a vital record in accordance with the  
62 provisions of subdivision (5) of this section;

63 (9) "Correction" means to change or enter new information on a  
64 certificate of birth, marriage, death or fetal death, within one year of  
65 the date of the vital event recorded in such certificate, in order to  
66 accurately reflect the facts existing at the time of the recording of such  
67 vital event, where such changes or entries are to correct errors on such  
68 certificate due to inaccurate or incomplete information provided by the  
69 informant at the time the certificate was prepared, or to correct  
70 transcribing, typographical or clerical errors;

71 (10) "Amendment" means to (A) change or enter new information  
72 on a certificate of birth, marriage, death or fetal death, more than one  
73 year after the date of the vital event recorded in such certificate, in  
74 order to accurately reflect the facts existing at the time of the recording  
75 of the event, (B) create a replacement certificate of birth for matters  
76 pertaining to parentage and gender change, or (C) change a certificate  
77 of birth, marriage, death or fetal death to reflect facts that have

78 changed since the time the certificate was prepared, including, but not  
79 limited to, a legal name change or a modification to a cause of death;

80 (11) "Acknowledgement of paternity" means to legally acknowledge  
81 paternity of a child pursuant to section 46b-172;

82 (12) "Adjudication of paternity" means to legally establish paternity  
83 through an order of a court of competent jurisdiction;

84 (13) "Parentage" includes matters relating to adoption, gestational  
85 agreements, paternity and maternity;

86 (14) "Department" means the Department of Public Health; and

87 (15) "Commissioner" means the Commissioner of Public Health or  
88 the commissioner's designee.

89 Sec. 3. Section 7-40 of the general statutes is repealed and the  
90 following is substituted in lieu thereof:

91 The registrar of vital statistics in each town shall have an official seal  
92 [, which] that shall be provided by the town [, to be used in  
93 authenticating] and shall be used to authenticate certificates and copies  
94 of record. No person, other than the registrar of vital statistics or the  
95 registrar's authorized agent, may possess any such official seal or any  
96 facsimile thereof.

97 Sec. 4. Section 7-41 of the general statutes is repealed and the  
98 following is substituted in lieu thereof:

99 [All cards or blanks provided for returns to be made by the registrar  
100 of vital statistics shall be exact copies of the forms for the returns to  
101 such registrar. Each registrar shall, within sixty days after a return has  
102 been made to him, record the same and at once place it in a temporary  
103 binder in chronological order. When any registrar has accumulated a  
104 sufficient number of vital statistics returns to fill a temporary binder,  
105 such returns, arranged chronologically with an alphabetical index  
106 preceding the same, shall be at once permanently bound in book form

107 and placed among the records of his office. When birth, marriage and  
108 death certificates are bound in one book, all such certificates for a  
109 given period of time shall be included, and they shall be assembled in  
110 the order hereinbefore mentioned, each class of certificates being  
111 arranged chronologically, and each class being immediately preceded  
112 by an alphabetical index thereof. Each marriage certificate shall be  
113 indexed in the names of both bride and groom. The registrar shall  
114 prepare the indexes required by this section and shall receive, from the  
115 town, a fee of five cents for each name so indexed. The temporary  
116 binder required to be used under the provisions of this section shall be  
117 contracted for by the Comptroller and furnished to registrars of vital  
118 statistics at cost, the same to be paid for by the town on a requisition  
119 by the Comptroller approved by the registrar. Any person who  
120 violates any provision of this section shall be fined not more than  
121 seven dollars.]

122 Each registrar of vital statistics shall keep records in accordance  
123 with regulations adopted by the commissioner in accordance with  
124 chapter 54. Any certified copy of a vital record submitted to the  
125 department shall include all information required by the  
126 commissioner.

127 Sec. 5. Section 7-42 of the general statutes is repealed and the  
128 following is substituted in lieu thereof:

129 Each registrar of vital statistics shall ascertain as accurately as [he]  
130 the registrar can all marriages, [and] deaths and fetal deaths, and all  
131 births, upon the affidavit of the father or mother, occurring in [his] the  
132 registrar's town, and record the same [in a book or books kept by him  
133 for that purpose,] in such form and with such particulars as are  
134 prescribed by the [Department of Public Health. He] department. The  
135 registrar shall give licenses to marry, according to provisions of law, [:]  
136 shall make and perfect all records of the birth and death of the persons  
137 born or deceased in [his] the registrar's town, and, when any birth or  
138 death happens of which no certificate is returned to [him] the registrar,  
139 shall obtain the information required by law respecting such birth or

140 death. [He] The registrar shall include the Social Security numbers of  
141 both persons on all marriage licenses. [He shall distribute] The  
142 registrar shall make available to all persons in [his] the registrar's town  
143 who, in [his] the registrar's judgment, are likely to need them, blank  
144 forms for the certificates and returns required by law to be made to  
145 [him;] the registrar, and shall amend or correct [such] certificates of  
146 births, marriages, deaths and fetal deaths that occurred in the  
147 registrar's town, and the records thereof, whenever [he] the registrar  
148 discovers transcribing, typographical or clerical errors upon the face  
149 thereof, [, and shall insert or supply therein omissions of facts existing  
150 at the time of the recording of such certificates except that all errors or  
151 omissions concerned with questions of parentage shall be within the  
152 sole jurisdiction of the Department of Public Health as provided in  
153 section 19a-42. He] When the registrar makes a correction on a  
154 certificate of birth, marriage, death or fetal death, the registrar shall,  
155 within ten days, forward an authenticated copy of the corrected  
156 certificate to the department and any other registrar having a copy of  
157 the certificate. The registrar shall maintain sufficient documentation, as  
158 prescribed by the commissioner, to support such correction, and shall  
159 ensure the confidentiality of such documentation as required by law.  
160 The date of the correction and a summary description of the evidence  
161 submitted in support of the correction shall be made part of the record.  
162 The certificate shall not be marked "Amended" unless an amendment  
163 is made as provided in subdivision (10) of section 7-36, as amended by  
164 this act. The registrar shall record on each certificate of birth, marriage,  
165 death or fetal death received for record the date of its receipt, by  
166 writing on the certificate or through electronic means. The registrar of  
167 vital statistics from the town where a child was born may  
168 electronically access birth data for such child to make corrections and  
169 amendments as requested by the parent or parents, the reporting  
170 hospital, or the department, excluding amendments regarding  
171 parentage and gender change. Amendments to vital records made by  
172 the registrar of vital statistics in the town of occurrence shall be made  
173 in accordance with section 19a-42, as amended by this act. The  
174 registrar shall keep the records of [his] the registrar's office, when a

175 [fire-proof] fireproof safe is not provided for [his] the registrar's use, in  
176 the vaults provided for the land records of [his] the town. [He] The  
177 registrar may, with the approval of the [Department of Public Health]  
178 department, store any records not in current use in a location other  
179 than [his] the registrar's office or [said] such vaults, provided such  
180 location shall be approved by the Public Records Administrator, and  
181 provided such location is within the limits of such town. [He] The  
182 registrar shall, on or before the [seventh] fifteenth day of each month,  
183 send to the [Commissioner of Public Health] commissioner an  
184 [attested] authenticated copy of each certificate of birth, marriage,  
185 death and fetal death received by [him] the registrar for the calendar  
186 month next preceding or a notification that no such certificate has been  
187 received. [and on or before the fifteenth day of every month an attested  
188 copy of each certificate of birth and of each certificate of marriage  
189 received by him for the month next preceding or a notification that no  
190 such certificate has been received. Both such notifications] Such  
191 notification shall be in a [form] format prescribed by the [Department  
192 of Public Health. The registrar shall also transmit from time to time to  
193 said commissioner an attested copy of all other certificates of births,  
194 marriages and deaths which he acquires in amending or completing  
195 his records. The copy shall be made in a form prescribed by the  
196 Department of Public Health and upon blanks provided by said]  
197 department. Copies of certificates of births, marriages, [and] deaths  
198 and fetal deaths, transmitted to [said] the commissioner as required  
199 [in] under this section, shall be plain, complete and legible transcripts  
200 of the certificates. If a transcript is illegible [, in the opinion of the  
201 commissioner, he] or incomplete, the commissioner shall require of the  
202 registrar [another copy legibly transcribed. When a registrar having  
203 custody of an original of a certificate of birth, marriage or death  
204 corrects the certificate, he shall, within ten days, forward an amended  
205 certificate to any registrar having a copy of the certificate. Each  
206 registrar shall inscribe upon the back of each certificate of birth,  
207 marriage or death received for record the date of its reception] a  
208 complete or legible copy. Each registrar of vital statistics shall also  
209 transmit to the registrars of voters for [his] the registrar's town a notice

210 of the death of any person seventeen years of age or older, at the same  
211 time the registrar transmits the [attested] authenticated copy of the  
212 certificate of death for such person to the [Commissioner of Public  
213 Health] commissioner under this section.

214 Sec. 6. Section 7-44 of the general statutes is repealed and the  
215 following is substituted in lieu thereof:

216 (a) When it appears from the certificate of a birth, marriage, [or]  
217 death or fetal death filed with any registrar of vital statistics that the  
218 residence of the mother of the child or that of either of the parties to  
219 the marriage or that of the deceased was in some other town in this  
220 state or a town in any other state where town officials retain custody of  
221 such certificates, at the time of such birth, marriage, [or] death or fetal  
222 death, such registrar shall at once [make a certified] transmit an  
223 authenticated copy of such certificate of birth, marriage, [or death and  
224 transmit the same] death or fetal death, including all information  
225 contained on such certificate, to the registrar of the town in which the  
226 mother of such child or either of the contracting parties to such  
227 marriage or such deceased resided at the time of such birth, marriage,  
228 [or] death or fetal death. Such copy shall be in the [form] format  
229 prescribed by the [Department of Public Health and on blanks  
230 provided by said department, and shall be attested by the official seal  
231 of the town or other municipal body under which such registrar holds  
232 office] department. Any registrar of vital statistics of any town or city  
233 in this state, receiving such [certified] authenticated copy of a birth,  
234 marriage, [or] death or fetal death certificate from a registrar of a town  
235 or city in this or any other state, shall record the same, but shall not  
236 transmit a copy thereof to the [Commissioner of Public Health]  
237 commissioner.

238 (b) Any registrar of vital statistics of any town or city in this state  
239 who has authorized access to an electronic vital records system may  
240 meet the certificate filing requirements of this section by using such  
241 system, except that if the town of residence does not have access to  
242 such system, the registrar of the town in which the vital event occurred



243 shall use manual procedures to transmit an authenticated copy of the  
244 certificate to the registrar of the town of residence.

245 (c) Each registrar of vital statistics in this state with authorized  
246 access to the electronic vital records system of the department may  
247 access vital records through such system for the purpose of viewing,  
248 printing and issuing certificates to authorized individuals in  
249 accordance with sections 7-51 and 7-51a, as amended by this act. Only  
250 the registrar of the town in which the vital event occurred or the  
251 department may make corrections or amendments to any such  
252 certificates.

253 Sec. 7. Section 7-45 of the general statutes is repealed and the  
254 following is substituted in lieu thereof:

255 Each person making any certificate of birth, marriage, [or] death or  
256 fetal death, or any copy of such certificate for the [Commissioner of  
257 Public Health] commissioner, or any sexton's report required by law,  
258 shall cause the same to be typewritten or printed in a legible manner as  
259 to all material information or facts required by the provisions of  
260 sections 7-48, as amended by this act, 7-60, as amended by this act, 7-  
261 62b, as amended by this act, 46b-25 to 46b-27, inclusive, and 46b-29 to  
262 46b-30, inclusive, and contained in such certificate. [and] If the  
263 certificate is in paper format, such person shall sign the [same]  
264 certificate in black ink, [and the person signing such certificate] shall  
265 state therein in what capacity [he] such person so signs, and shall type  
266 or print in a legible manner the name of each person signing such  
267 certificate, under such person's signature. If the certificate is in an  
268 electronic format, such certificate shall be authenticated by the  
269 electronic vital records system of the department. Any certificate not  
270 complying with the requirements of this section shall be returned by  
271 the registrar with whom it is filed to the person making the same for  
272 the proper correction.

273 Sec. 8. Section 7-46 of the general statutes is repealed and the  
274 following is substituted in lieu thereof:

275 The registrars shall complete the records of their respective towns  
276 by adding thereto a record of all the births, marriages, [and] deaths  
277 and fetal deaths that have occurred in such towns since the date of  
278 [their] incorporation of such towns, of which no certificate has been  
279 returned to their office, [;] provided the facts upon which such record  
280 is made have been obtained from the record of a public official, a  
281 church society or under section 7-42, as amended by this act, 7-48, as  
282 amended by this act, or 7-62b, as amended by this act, and such record  
283 shall indicate the source from which such facts were obtained. Any  
284 registrar who knowingly makes any false entry of the record of any  
285 birth, marriage, [or] death or fetal death shall be fined not more than  
286 fifty dollars or imprisoned not more than three months or both.

287 Sec. 9. Section 7-47 of the general statutes is repealed and the  
288 following is substituted in lieu thereof:

289 Each registrar of vital statistics shall keep alphabetically arranged  
290 separate indexes for each group of vital events and shall enter therein  
291 the name of each person whose birth, marriage, [or] death or fetal  
292 death is recorded by [him] the registrar.

293 Sec. 10. Section 7-48 of the general statutes is repealed and the  
294 following is substituted in lieu thereof:

295 (a) Not later than ten days after each live birth which occurs in this  
296 state, a birth certificate shall be filed with the registrar of vital statistics  
297 in the town in which the birth occurred and the certificate shall be  
298 registered if properly filed, by manual or electronic systems as  
299 prescribed by the commissioner. On and after January 1, 1994, each  
300 hospital with two hundred or more live births in calendar year 1990, or  
301 any subsequent calendar year, shall electronically transmit birth  
302 information data to the [Department of Public Health] department in a  
303 computer format approved by [said] the department. Each birth  
304 certificate shall contain such information as the [Department of Public  
305 Health] department may require. Medical and health information  
306 which is required by the department, including information regarding

307 voluntary acknowledgments of paternity and whether the child was  
308 born out of wedlock, shall be recorded on a confidential portion of the  
309 certificate to be sent directly to the department. Such confidential  
310 records may be used for statistical and health purposes [. This  
311 confidential portion shall be destroyed at the end of three years] by the  
312 department or by a local director of health, as authorized by the  
313 department, for records related to the town served by the local director  
314 of health and where the mother was a resident at the time of the birth  
315 of the child. Such birth certificate and confidential records may be used  
316 internally by the hospital for records transmitted by the hospital for  
317 statistical, health and quality assurance purposes. The department  
318 shall give due consideration to national uniformity in vital statistics in  
319 prescribing the [form] format and content of such certificate.

320 (b) When a birth occurs in an institution or en route thereto, the  
321 person in charge of the institution or [his] such person's designated  
322 representative shall [complete the certificate, secure the signatures  
323 required] obtain all available data required by the certificate, prepare  
324 the certificate, certify that the child was born alive at the place and  
325 time and on the date stated either by signature or by an electronic  
326 process approved by the commissioner and file the certificate with the  
327 registrar of vital statistics in the town in which the birth occurred, not  
328 later than ten days after such birth. The physician or other person in  
329 attendance, and the physician, institution or other person providing  
330 prenatal care, shall provide the medical information required by the  
331 certificate [and certify to the fact of birth] not later than seventy-two  
332 hours after the birth. [If the physician does not certify to the fact of  
333 birth within such time period, the person in charge of the institution  
334 shall complete and sign the certificate.]

335 (c) When a birth occurs outside an institution, the certificate shall be  
336 prepared and filed by the physician or midwife in attendance at or  
337 immediately after the birth or, in the absence of such a person, by the  
338 father or mother.

339 (d) When a birth occurs in a moving conveyance and the child is

340 first removed from the conveyance in this state, the birth shall be  
341 registered in this state and the place where the child is first removed  
342 shall be considered the place of birth.

343 Sec. 11. Section 7-50 of the general statutes is repealed and the  
344 following is substituted in lieu thereof:

345 No certificate of birth shall contain any specific statement that the  
346 child was born in or out of wedlock or reference to illegitimacy of the  
347 child or to the marital status of the mother, except that information on  
348 whether the child was born in or out of wedlock and the marital status  
349 of the mother shall be recorded on a confidential portion of the  
350 certificate pursuant to section 7-48, as amended by this act. Upon the  
351 [filing of a voluntary acknowledgment or adjudication of paternity]  
352 completion of an acknowledgement of paternity at a hospital,  
353 concurrent with the hospital's electronic transmission of birth data to  
354 the department, or at a town in the case of a home birth, concurrent  
355 with the registration of the birth data by the town, the  
356 acknowledgement shall be filed in the paternity registry maintained by  
357 the [Department of Public Health] department, as required by section  
358 19a-42a, and the name of the father of a child born out of wedlock shall  
359 be entered in or upon the birth certificate or birth record of such child.  
360 [Thereafter, the] All post birth acknowledgements or adjudications of  
361 paternity received by the department shall be filed in the paternity  
362 registry maintained by the department, and the name of the father of  
363 the child born out of wedlock shall be entered in or upon the birth  
364 record or certificate of such child by the department, if there is no  
365 paternity already recorded on the birth certificate. If another father's  
366 information is recorded on the certificate, the original father's  
367 information shall not be removed except upon receipt by the  
368 department of an order by a court of competent jurisdiction in which  
369 there is a finding that the individual recorded on the birth certificate,  
370 specifically referenced by name, is not the child's father, or a finding  
371 that a different individual than the one recorded, specifically  
372 referenced by name, is the child's father. The name of the father on  
373 [such] a birth certificate or birth record shall otherwise be removed or

374 changed only upon the filing of a rescission in such registry, as  
375 provided in section 19a-42a. [, or upon the order of a court of  
376 competent jurisdiction.] The Social Security number of the father of a  
377 child born out of wedlock may be entered in or upon the birth  
378 certificate or birth record of such child if such disclosure is done in  
379 accordance with 5 USC 552a note.

380 Sec. 12. Section 7-51 of the general statutes is repealed and the  
381 following is substituted in lieu thereof:

382 [With the exception of the chief executive officer of the municipality  
383 or his authorized agent, the local director of health or his authorized  
384 agent, attorneys at law, title examiners and members of genealogical  
385 societies incorporated or authorized to do business or conduct affairs  
386 in this state, no person, except the person whose birth is recorded, if  
387 over eighteen years of age, his children or spouse or his parent,  
388 guardian or grandparent if a minor, shall have any access to or be  
389 permitted to examine the original or any copy of the birth certificate or  
390 birth record, of any person, nor shall he disclose any matters contained  
391 therein or any information concerning such birth, which original, copy  
392 or information is in the custody of any registrar of vital statistics or of  
393 the Department of Public Health, nor shall he be entitled to any copy  
394 of any such certificate, record or information, except upon written  
395 order of a court of record or upon written request of a state  
396 department or the federal government when approved by the  
397 Department of Public Health.]

398 (a) The department and registrars of vital records shall restrict  
399 access to and issuance of a certified copy of birth and fetal death  
400 records and certificates less than one hundred years old, to the  
401 following eligible parties: (1) The person whose birth is recorded, if  
402 over eighteen years of age; (2) such person's children, grandchildren,  
403 spouse, parent, guardian or grandparent; (3) the chief executive officer  
404 of the municipality where the birth or fetal death occurred, or the chief  
405 executive officer's authorized agent; (4) the local director of health for  
406 the town or city where the birth or fetal death occurred or where the

407 mother was a resident at the time of the birth or fetal death, or the  
408 director's authorized agent; (5) attorneys-at-law and title examiners  
409 representing such person or such person's parent, guardian, child or  
410 surviving spouse; (6) members of genealogical societies incorporated  
411 or authorized by the Secretary of the State to do business or conduct  
412 affairs in this state; (7) agents of a state or federal agency as approved  
413 by the department; and (8) researchers approved by the department  
414 pursuant to section 19a-25. Except as provided in section 19a-42a,  
415 access to confidential files on paternity, adoption, gender change or  
416 gestational agreements, or information contained within such files,  
417 shall not be released to any party, including the eligible parties listed  
418 in this subsection, except upon an order of a court of competent  
419 jurisdiction.

420 (b) No person other than the eligible parties listed in subsection (a)  
421 of this section shall be entitled to examine or receive a copy of any  
422 birth or fetal death certificate, record or information, or disclose any  
423 matter contained therein, except upon written order of a court of  
424 competent jurisdiction. Nothing in this section shall be construed to  
425 permit disclosure of information contained in the "information for  
426 medical and health use only" or the "information for statistical  
427 purposes only" section of a birth certificate, other than the Social  
428 Security numbers, race and ethnicity information of the parent or  
429 parents recorded in the "administrative purposes" section of an  
430 electronically filed birth or fetal death certificate or displayed on a  
431 manually filed birth or fetal death certificate, unless specifically  
432 authorized by the department for statistical or research purposes. Such  
433 confidential information, other than the excluded information set forth  
434 in this subsection, shall not be subject to subpoena or court order and  
435 shall not be admissible before any court or other tribunal.

436 (c) The registrar of the town in which the birth or fetal death  
437 occurred or of the town in which the mother resided at the time of the  
438 birth or fetal death, or the department, may issue a certified copy of the  
439 certificate of birth or fetal death of any person born in this state which  
440 is kept in paper form in the custody of the registrar. Such certificate

441 shall be issued upon the written request of an eligible party listed in  
442 subsection (a) of this section. Any registrar of vital statistics in this  
443 state with access, as authorized by the department, to the electronic  
444 vital records system of the department may issue a certified copy of  
445 the electronically filed certificate of birth or fetal death of any person  
446 born in this state upon the written request of an eligible party listed in  
447 subsection (a) of this section.

448 (d) The department and each registrar of vital statistics shall issue  
449 only certified copies of birth certificates or fetal death certificates for  
450 births or fetal deaths occurring less than one hundred years prior to  
451 the date of the request.

452 Sec. 13. Section 7-51a of the general statutes is repealed and the  
453 following is substituted in lieu thereof:

454 (a) Any person eighteen years of age or older may purchase certified  
455 copies of marriage and death records, and certified copies of records of  
456 births or fetal deaths which are at least one hundred years old, in the  
457 custody of any registrar of vital statistics. The department may issue  
458 uncertified copies of death certificates for deaths occurring less than  
459 one hundred years ago, and uncertified copies of birth, marriage,  
460 death and fetal death certificates for births, marriages, deaths and fetal  
461 deaths that occurred at least one hundred years ago, to researchers  
462 approved by the department pursuant to section 19a-25, and to state  
463 and federal agencies approved by the department. During all normal  
464 business hours, members of genealogical societies incorporated or  
465 authorized by the Secretary of the State to do business or conduct  
466 affairs in this state shall (1) have full access to all vital records in the  
467 custody of any registrar of vital statistics, including certificates,  
468 ledgers, record books, card files, indexes and database printouts,  
469 except confidential files on adoptions, gender change, gestational  
470 agreements and paternity, (2) be permitted to make notes from such  
471 records, [and] (3) be permitted to purchase certified copies of such  
472 records, and (4) be permitted to incorporate statistics derived from  
473 such records in the publications of such genealogical societies.

474        (b) For marriage licenses, the Social Security numbers of the bride  
475        and the groom shall be recorded in the "administrative purposes"  
476        section of the marriage license and the application for such license. All  
477        parties specified on the license, including the bride, groom, officiator  
478        of the marriage and town clerk or registrar, or other persons, as  
479        authorized by the commissioner, shall have access to the Social  
480        Security numbers specified on the marriage license and the application  
481        for such license. Any other individual, researcher or state or federal  
482        agency requesting a certified or uncertified copy of any marriage  
483        license in accordance with the provisions of this section shall be  
484        provided such copy with such Social Security numbers removed or  
485        redacted, or with the "administrative purposes" section omitted.

486        (c) For death certificates, the Social Security number of the deceased  
487        person shall be recorded on the face of the certificate. The occupation,  
488        business or industry, race, Hispanic origin, if applicable, and  
489        educational level of the deceased person, if known, shall be recorded  
490        in the "administrative purposes" section of the death certificate. All  
491        parties specified on the certificate, including the informant, licensed  
492        funeral director, licensed embalmer, conservator, surviving spouse,  
493        physician and town clerk or registrar, or other persons, as authorized  
494        by the commissioner, shall have access to the Social Security number of  
495        the deceased person and the information recorded in the  
496        "administrative purposes" section of the death certificate. Any other  
497        individual requesting a certified or uncertified copy of any death  
498        certificate in accordance with the provisions of this section, for a death  
499        occurring after July 1, 1997, shall be provided such copy, if more than  
500        sixty days have passed since the date of death, with the Social Security  
501        number of the deceased person included, except that the  
502        "administrative purposes" section shall be omitted.

503        (d) The registrar of vital statistics of any town or city in this state  
504        that has access to an electronic vital records system, as authorized by  
505        the department, may use such system to issue certified copies of birth,  
506        death, fetal death or marriage certificates that are electronically filed in  
507        such system.



508 Sec. 14. Section 7-52 of the general statutes is repealed and the  
509 following is substituted in lieu thereof:

510 (a) [(1)] The registrar of vital statistics of the town in which the birth  
511 occurred, [(2)] the registrar of vital statistics of the town in which the  
512 mother resided at the time of the birth or [(3) the Department of Public  
513 Health] the department shall issue, upon the request of the person to  
514 whom the record of birth relates, if over sixteen years of age, or of a  
515 parent, guardian, spouse, child, if over eighteen years of age,  
516 grandparent or legal representative of such person, a certification of  
517 birth registration, which shall contain [only] the name, sex, date of  
518 birth, place of birth and date of filing and registration of the certificate  
519 of birth of the person to whom it relates, and any other identifying  
520 information prescribed by the commissioner.

521 (b) The registrar of vital statistics of any town or city in this state  
522 that has access to an electronic vital records system, as authorized by  
523 the department, may use such system to issue, in accordance with the  
524 provisions of subsection (a) of this section, a certification of birth  
525 registration for such births that are electronically filed in such system.

526 Sec. 15. Section 7-53 of the general statutes is repealed and the  
527 following is substituted in lieu thereof:

528 Upon receipt of the record of adoption referred to in subsection (e)  
529 of section 45a-745 or of other evidence satisfactory to the [Department  
530 of Public Health] department that a person born in this state has been  
531 adopted, [said] the department shall prepare a new birth certificate of  
532 such adopted person, except that no new certificate of birth shall be  
533 prepared if the court decreeing the adoption, the adoptive parents or  
534 the adopted person, if over fourteen years of age, so requests. Such  
535 new birth certificate shall include all the information required to be set  
536 forth in a certificate of birth of this state as of the date of birth, except  
537 that the adopting parents shall be named as the parents instead of the  
538 genetic parents and, when a certified copy of the birth of such person  
539 is requested by an authorized person, a copy of the new certificate of

540 birth as prepared by the department shall be provided. [, except that  
541 the registrar of vital statistics of any town in which the birth of such  
542 person was recorded or the Department of Public Health may issue a  
543 certified copy of the original certificate of birth on file, marked with a  
544 notation by the issuer that such original certificate of birth has been  
545 superseded by a new certificate of birth as on file, or may permit the  
546 examination of such record upon a written order, in accordance with  
547 the provisions of section 45a-751, signed by the judge of the probate  
548 court for the district in which the adopted person was adopted or born  
549 or upon] Any person seeking to examine or obtain a copy of the  
550 original record or certificate of birth shall first obtain a written order  
551 signed by the judge of the probate court for the district in which the  
552 adopted person was adopted or born in accordance with section 45a-  
553 751 or a written order of the Probate Court in accordance with the  
554 provisions of section 45a-752, stating that the court is of the opinion  
555 that the examination of the birth record of the adopted person by the  
556 adopting parents or the adopted person, if over eighteen years of age,  
557 or by the person wishing to examine the same or that the issuance of a  
558 copy of such birth certificate to the adopting parents, adopted person,  
559 if over eighteen years of age or to the person applying therefor will not  
560 be detrimental to the public interest or to the welfare of the adopted  
561 person or to the welfare of the genetic or adoptive parent or parents.  
562 Upon receipt of such court order, the registrar of vital statistics of any  
563 town in which the birth of such person was recorded, or the  
564 department, may issue the certified copy of the original certificate of  
565 birth on file, marked with a notation by the issuer that such original  
566 certificate of birth has been superseded by a replacement certificate of  
567 birth as on file, or, may permit the examination of such record.  
568 Immediately after a new certificate of birth has been prepared, an exact  
569 copy of such certificate, together with a written notice of the evidence  
570 of adoption, shall be transmitted by the department to the registrar of  
571 vital statistics of each town in this state in which the birth of the  
572 adopted person is recorded. The new birth certificate, the original  
573 certificate of birth on file and the evidence of adoption shall be filed  
574 and indexed, under such regulations as the [Department of Public

575 Health makes] commissioner adopts, in accordance with chapter 54, to  
576 carry out the provisions of this section and to prevent access to the  
577 records of birth and adoption and the information therein contained  
578 without due cause, except as [herein] provided in this section. Any  
579 person, except such parents or adopted person, who discloses any  
580 information contained in such records, except as [herein] provided in  
581 this section, shall be fined not more than five hundred dollars or  
582 imprisoned not more than six months, or both. Whenever a certified  
583 copy of an adoption decree from a court of a foreign country, having  
584 jurisdiction of the adopted person, is filed with the [Department of  
585 Public Health] department under the provisions of this section, such  
586 decree, when written in a language other than English, shall be  
587 accompanied by an English translation, which shall be subscribed and  
588 sworn to as a true translation by an American consulate officer  
589 stationed in such foreign country.

590 Sec. 16. Section 7-54 of the general statutes is repealed and the  
591 following is substituted in lieu thereof:

592 The [Department of Public Health] department shall prepare a  
593 certification of birth registration for any person born outside of the  
594 state or country and adopted by residents of this state, provided an  
595 authenticated and exemplified copy of the order of adoption of the  
596 court of the district in which the adoption proceedings were had or  
597 such other evidence as is considered satisfactory by the probate court  
598 of the district in which such person resides shall be filed with such  
599 probate court, and such probate court notifies the department that  
600 such copy or satisfactory evidence has been so filed. Such certification  
601 of birth registration shall contain only the adopted name, sex, date of  
602 birth, place of birth and date of preparation of such certification of  
603 birth registration by the [Department of Public Health] department,  
604 but no certification of birth registration shall be prepared by the  
605 [Department of Public Health] department unless upon specific  
606 written request of the person to whom the certification of birth  
607 registration relates, if over [eighteen] sixteen years of age, or of the  
608 adopting parents or the court of probate of the district in which the

609 adoption proceedings were had. When the [Department of Public  
610 Health] department has prepared such certificate of birth registration,  
611 copies thereof shall be issued by the department in accordance with  
612 the provisions of section 7-52, as amended by this act.

613 Sec. 17. Section 7-57 of the general statutes is repealed and the  
614 following is substituted in lieu thereof:

615 Any adult or the guardian of the person of any minor, for whose  
616 birth no certificate is on file, may, with two other persons having  
617 knowledge of the facts, make, under oath, an affidavit as to the matters  
618 required to be set forth in a birth certificate under the provisions of  
619 section 7-48, as amended by this act, and file the same in the office of  
620 the registrar of vital statistics of the town in which such birth occurred.  
621 Such registrar shall thereupon prepare a birth certificate based upon  
622 the information contained in such affidavit and file the same with such  
623 affidavit in the same manner as any other birth certificate, including  
624 filing a copy of such certificate with the department. If unable to  
625 furnish an affidavit satisfactory to the registrar of such town, such  
626 adult or guardian may apply to the court of probate for the district  
627 where such birth occurred for an order requiring such registrar to  
628 prepare a certificate of birth of such adult or such minor containing the  
629 matters so required to be set forth. Such court shall, with or without  
630 notice and hearing, ascertain the facts as to the matters so required and  
631 issue an order directing such registrar to issue such a certificate based  
632 upon the facts set forth in such order. After issuing any such certificate,  
633 such registrar shall make a record of such birth, including in such  
634 record reference to such certificate and the affidavit or order of the  
635 court. Birth certificates registered one year or more after the date of  
636 birth shall be marked "delayed" and indicate the date of the delayed  
637 registration. The provisions of sections 7-42, as amended by this act,  
638 and 7-73, as amended by this act, shall apply to the acts of the registrar  
639 under this section.

640 Sec. 18. Section 7-58 of the general statutes is repealed and the  
641 following is substituted in lieu thereof:

642 Any American citizen who [, while serving with the armed forces or  
643 in the employ of the United States government,] becomes the parent of  
644 a child or children born outside the United States, and who was a  
645 resident of this state [at the time of entering the armed forces or  
646 government service] at the time of leaving the United States, may file,  
647 with the town clerk of the town in which the parents reside or resided,  
648 a certified copy of the record of birth of such child or children issued to  
649 the parents by an official authorized to issue such records of birth at  
650 the place of birth. When such certified copy has been filed, copies of  
651 such record of birth may be issued by such town clerk in the manner  
652 prescribed by law.

653 Sec. 19. Section 7-59 of the general statutes is repealed and the  
654 following is substituted in lieu thereof:

655 The executive authority of any agency or institution, upon accepting  
656 the temporary custody of any foundling child, shall, within ten days  
657 from such acceptance, report to the registrar of vital statistics of the  
658 town or city where such child was found, [on forms supplied by the  
659 Department of Public Health] in a format prescribed by the  
660 department, as follows: The date and place of finding, the sex, the  
661 [color] race, the approximate age, the name and address of such  
662 agency or institution and the name given to the foundling child. If a  
663 child for whom such a report has been registered is later identified and  
664 a certificate of birth is found or obtained, it shall be substituted and the  
665 previous report shall be sealed and filed in a confidential file, and such  
666 seal may be broken and the record inspected only upon order of a  
667 court of competent jurisdiction. The certificate prescribed by this  
668 section shall include such additional information as the [Department of  
669 Public Health] department requires.

670 Sec. 20. Section 7-60 of the general statutes is repealed and the  
671 following is substituted in lieu thereof:

672 (a) Each case of fetal death shall be registered and a fetal death  
673 certificate shall be filed with the registrar of vital statistics in the

674 manner required by [section 7-48 for filing a birth certificate] sections  
675 7-48, 7-50, 7-51, 7-52, as amended by this act, with respect to the filing,  
676 content and issuance of birth certificates. A fetus born after a period of  
677 gestation of not less than twenty weeks in which there is no attempt at  
678 respiration, no action of heart and no movement of voluntary muscle,  
679 shall be recorded as a fetal death. A fetal death certificate shall be  
680 signed by a physician or, when no physician was in attendance, by the  
681 Chief Medical Examiner, Deputy Chief Medical Examiner, an associate  
682 medical examiner, or an authorized assistant medical examiner.

683 (b) Such certificate shall include, on a confidential portion of the  
684 certificate, any additional information required by the [Department of  
685 Public Health] department, provided the information obtained under  
686 this section shall be used only for medical and health purposes. [and  
687 shall not be incorporated into the permanent official records of the  
688 department.]

689 Sec. 21. Section 7-62a of the general statutes is repealed and the  
690 following is substituted in lieu thereof:

691 No person other than a registrar of vital statistics or the  
692 [Commissioner of Public Health] commissioner shall issue or cause to  
693 be issued any certificate or document which is, or purports to be, an  
694 original or certified copy of a certificate of birth, death, fetal death or  
695 marriage. No person other than such registrar or [said] the  
696 commissioner shall certify or purport to certify as a true copy any  
697 certificate of birth, death, fetal death or marriage. No person other than  
698 a registrar of vital statistics or the commissioner shall issue or cause to  
699 be issued an uncertified copy of a certificate of birth, death, fetal death  
700 or marriage, in accordance with the provisions of subsection (a) of  
701 section 7-51a, as amended by this act. Any person who violates this  
702 section shall be fined not more than one hundred fifty dollars or  
703 imprisoned not more than one year, or both.

704 Sec. 22. Subsection (b) of section 7-62b of the general statutes is  
705 repealed and the following is substituted in lieu thereof:

706 (b) The [licensed] funeral director or [licensed] embalmer licensed  
707 by the department, or the funeral director or embalmer licensed in  
708 another state and complying with the terms of a reciprocal agreement  
709 on file with the department, in charge of the burial of the deceased  
710 person shall complete the death certificate on a form provided by the  
711 [Department of Public Health] department and shall file it in  
712 accordance with the provisions of this section, except when inquiry is  
713 required by the Chief Medical Examiner's Office, in which case the  
714 death certificate shall be filed in accordance with section 19a-409. The  
715 Social Security number of the deceased person shall be recorded on  
716 such certificate. Such licensed funeral director or licensed embalmer  
717 shall obtain the personal data from the next of kin or the best qualified  
718 person or source available and shall obtain a medical certification from  
719 the person responsible therefor, in accordance with the provisions of  
720 this section. Only a licensed embalmer may assume charge of the  
721 burial of a deceased person who died from a communicable disease, as  
722 designated in the Public Health Code, and such licensed embalmer  
723 shall file the death certificate and a certificate signed and sworn to by  
724 [himself] such licensed embalmer or another licensed embalmer stating  
725 that the body has been disinfected in accordance with the Public  
726 Health Code.

727 Sec. 23. Section 7-69 of the general statutes is repealed and the  
728 following is substituted in lieu thereof:

729 Except as provided in section 7-70, as amended by this act, no  
730 person except a licensed embalmer or funeral director licensed by the  
731 [Department of Public Health] department, or licensed in a state  
732 having a reciprocal agreement on file with the department and  
733 complying with the terms of such agreement, shall remove the body of  
734 a deceased person from one town to another or into the limits of any  
735 town in this state unless a permit for such removal has been obtained,  
736 as provided by section 7-68, and no person except a licensed embalmer  
737 or funeral director licensed by [said] the department, or licensed in a  
738 state having a reciprocal agreement on file with the department, shall  
739 remove the body of any deceased person from this state to another

740 state unless a death certificate signed by a person licensed by [said] the  
741 department, or licensed in a state having a reciprocal agreement on file  
742 with the department and complying with the terms of such agreement,  
743 has been procured. [, and no] No burial or removal permit shall be  
744 issued unless the death certificate has been signed by a licensed  
745 embalmer or funeral director licensed by [said] the department, or  
746 licensed in a state having a reciprocal agreement on file with the  
747 department and complying with the terms of such agreement. Any  
748 embalmer or funeral director licensed by [said] the department, or  
749 licensed in a state having a reciprocal agreement on file with the  
750 department, may remove the body of any deceased person from or  
751 into the limits of any town in this state, provided there shall be  
752 attached to the coffin or case containing such body a written or printed  
753 permit, signed by the registrar of vital statistics in the town in which  
754 such person died, certifying the cause of death or disease of which  
755 such person died and the town in which such person is to be buried.  
756 The permit shall also certify that, when death was due to any  
757 communicable disease specified by the Public Health Code, the body  
758 has been prepared in accordance with the regulations of the Public  
759 Health Code. Such permit shall be sufficient to permit the burial of  
760 such deceased person in any town in this state other than the town in  
761 which such person died, without a burial permit from the registrar of  
762 the town where such person is to be buried. If the body of a deceased  
763 person is brought into the state for burial and is accompanied by a  
764 removal permit issued by the legally constituted authorities of the state  
765 from which it was brought, such permit shall be received as sufficient  
766 authority for burial; but, if it is not accompanied by such permit, then  
767 the person or persons in charge of it shall apply for a burial permit to  
768 the registrar of vital statistics of the town in which it is to be buried,  
769 and such registrar shall issue such permit when furnished with such  
770 information as to the identity of the deceased and the cause of [his]  
771 death as is required by section 7-62b, as amended by this act,  
772 concerning a person dying in this state. Any person who violates any  
773 provision of this section, or who knowingly signs a false permit or  
774 knowingly allows a false permit to be used in lieu of a permit required



775 by this section, shall be fined not more than five hundred dollars or  
776 imprisoned not more than six months, or both.

777 Sec. 24. Section 7-70 of the general statutes is repealed and the  
778 following is substituted in lieu thereof:

779 Any licensed embalmer, registered student embalmer or licensed  
780 funeral director licensed by the department, or licensed in a state  
781 having a reciprocal agreement on file with the department, may  
782 transfer the body of any deceased person to another town or state for  
783 preparation for burial or cremation, if death was not sudden or the  
784 result of violence or of a communicable disease other than tuberculosis  
785 or pneumonia, [provided such body shall be returned to the town in  
786 which death occurred within twenty-four hours or] provided a permit  
787 for permanent removal, as required under the provisions of section 7-  
788 69, as amended by this act, has been secured within [said time] twenty-  
789 four hours. Such temporary transfer shall be made only by a licensed  
790 embalmer, registered student embalmer or licensed funeral director  
791 [only and he] licensed by the department, or licensed in a state having  
792 a reciprocal agreement on file with the department. Such licensed  
793 embalmer, registered student embalmer or licensed funeral director  
794 shall leave, in writing, with the institution from which or the person  
795 from whom any such body is received, a temporary removal permit,  
796 on a form supplied by the [Department of Public Health] department,  
797 [his] such embalmer's or director's name, [and] address [, his] and  
798 license number and the date and hour such body was delivered to  
799 [him] such embalmer or director. A duplicate of such temporary  
800 removal permit shall be left with or mailed to the local registrar where  
801 the death occurred, within twelve hours after such temporary transfer.  
802 Any body for which a burial or removal permit has been secured in  
803 accordance with the provisions of section 7-69, as amended by this act,  
804 except the body of any person whose death occurred while suffering  
805 from any communicable disease other than tuberculosis or pneumonia,  
806 may be taken through or into another town for funeral services  
807 without additional permits.

808 Sec. 25. Section 7-73 of the general statutes is repealed and the  
809 following is substituted in lieu thereof:

810 (a) To [the] any person performing the duties required by the  
811 provisions of the general statutes relating to registration of births,  
812 marriages, [and] deaths and fetal deaths, the following fees shall be  
813 allowed: (1) To the registrar for completing each record of birth by  
814 procuring and inserting the full name of the child, or for the recording,  
815 indexing, copying and endorsing of each birth, marriage, [or] death or  
816 fetal death certificate, two dollars; (2) for the license to marry, ten  
817 dollars; and (3) for issuing each burial or removal permit, three dollars.

818 (b) A twenty-dollar surcharge shall be paid to the registrar for each  
819 license to marry in addition to the fee for such license established  
820 pursuant to subsection (a) of this section. The registrar shall retain one  
821 dollar from each such surcharge for administrative costs and shall  
822 forward the remainder, on or before the tenth day of the month  
823 following each calendar quarter, to the Department of Public Health.  
824 The receipts shall be deposited into an account of the State Treasurer  
825 and credited to the General Fund for further credit to a separate  
826 nonlapsing account established by the Comptroller for use by the  
827 Department of Social Services for shelter services for victims of  
828 household abuse in accordance with section 17b-850 and by the  
829 Department of Public Health for rape crisis services funded under  
830 section 19a-2a. Such funds shall be allocated for these purposes by the  
831 Office of Policy and Management in consultation with the  
832 Commissioners of [the Department of] Social Services and [the  
833 Department of] Public Health based on an evaluation of need, service  
834 delivery costs and availability of other funds. No such moneys shall  
835 supplant any state or federal funds otherwise available for such  
836 services.

837 Sec. 26. Section 7-74 of the general statutes is repealed and the  
838 following is substituted in lieu thereof:

839 The fee for a certification of birth registration shall be five dollars

840 and the fee for a certified copy of a certificate of birth [,] shall be five  
841 dollars, except that the fee for such certifications and copies when  
842 issued by the [Department of Public Health] department shall be  
843 fifteen dollars. The fee for a certified copy of a certificate of marriage or  
844 death shall be five dollars. Such fees shall not be required of any  
845 federal agency or the [Department of Public Health] department.

846 Sec. 27. Section 7-76 of the general statutes is repealed and the  
847 following is substituted in lieu thereof:

848 The fees due registrars of vital statistics for the making of records,  
849 copies and endorsements relating to births, [and] deaths, fetal deaths  
850 and marriages, when the residence of the parents of the child or of the  
851 deceased or of either party to a marriage is in some other town in this  
852 state than that in which the birth, death, fetal death or marriage  
853 occurred, shall be paid by such other town except as they relate to vital  
854 statistics of inmates of any state institution. All bills for such fees shall  
855 be submitted by such registrars to such other towns on or before  
856 February first of each year, provided if a bill amounts to less than  
857 twenty-six dollars, no bill shall be sent and the amount shall not be  
858 due. If the registrar of vital statistics of any town or city receives a  
859 salary for the performance of [his] the registrar's duties, the amount of  
860 fees due under the provisions of this section shall be paid to such town  
861 or city.

862 Sec. 28. (NEW) On and after January 1, 2002, each birth certificate  
863 shall contain the name of the birth mother, except by the order of a  
864 court of competent jurisdiction.

865 Sec. 29. Subsection (a) of section 19a-1c of the general statutes is  
866 repealed and the following is substituted in lieu thereof:

867 (a) Whenever the words "Commissioner of Public Health and  
868 Addiction Services" are used or referred to in the following sections of  
869 the general statutes, the words "Commissioner of Public Health" shall  
870 be substituted in lieu thereof and whenever the words "Department of  
871 Public Health and Addiction Services" are used or referred to in the

872 following sections of the general statutes, the words "Department of  
873 Public Health" shall be substituted in lieu thereof: 1-21b, 2-20a, 3-129,  
874 4-5, 4-38c, 4-60i, 4-67e, 4a-12, 4a-16, 4a-51, 5-169, 7-22a, [7-41a,] 7-42, 7-  
875 44, 7-45, [7-47a,] 7-48, 7-49, 7-51, 7-52, 7-53, 7-54, 7-55, [7-56,] 7-59, 7-60,  
876 7-62a, 7-62b, 7-62c, 7-65, 7-70, 7-72, 7-73, 7-74, 7-127e, 7-504, 7-536, 8-  
877 159a, 8-206d, 8-210, 10-19, 10-71, 10-76d, 10-203, 10-204a, 10-207, 10-212,  
878 10-212a, 10-214, 10-215d, 10-253, 10-282, 10-284, 10-292, 10a-132, 10a-  
879 155, 10a-162a, 12-62f, 12-263a, 12-407, 12-634, 13a-175b, 13a-175ee, 13b-  
880 38n, 14-227a, 14-227c, 15-121, 15-140r, 15-140u, 16-19z, 16-32e, 16-43, 16-  
881 50c, 16-50d, 16-50j, 16-261a, 16-262l, 16-262m, 16-262n, 16-262o, 16-  
882 262q, 16a-36, 16a-36a, 16a-103, 17-585, 17a-20, 17a-52, 17a-154, 17a-219c,  
883 17a-220, 17a-277, 17a-509, 17a-688, 17b-6, 17b-99, 17b-225, 17b-234, 17b-  
884 265, 17b-288, 17b-340, 17b-341, 17b-347, 17b-350, 17b-351, 17b-354, 17b-  
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886 737, 17b-748, 17b-803, 17b-808, 17b-851a, 19a-1d, 19a-4i, 19a-6, 19a-6a,  
887 19a-7b, 19a-7c, 19a-7d, 19a-7e, 19a-7f, 19a-7g, 19a-7h, 19a-9, 19a-10, 19a-  
888 13, 19a-14, 19a-14a, 19a-14b, 19a-15, 19a-17, 19a-17a, 19a-17m, 19a-17n,  
889 19a-19, 19a-20, 19a-21, 19a-23, 19a-24, 19a-25, 19a-25a, 19a-26, 19a-27,  
890 19a-29, 19a-29a, 19a-30, 19a-30a, 19a-32, 19a-32a, 19a-33, 19a-34, 19a-35,  
891 19a-36, 19a-36a, 19a-37, 19a-37a, 19a-37b, 19a-40, 19a-41, 19a-42, 19a-43,  
892 19a-44, 19a-45, 19a-47, 19a-48, 19a-49, 19a-50, 19a-51, 19a-52, 19a-53,  
893 19a-54, 19a-55, 19a-56a, 19a-56b, 19a-57, 19a-58, 19a-59, 19a-59a, 19a-  
894 59b, 19a-59c, 19a-59d, 19a-60, 19a-61, 19a-69, 19a-70, 19a-71, 19a-72,  
895 19a-73, 19a-74, 19a-75, 19a-76, 19a-79, 19a-80, 19a-82 to 19a-91,  
896 inclusive, 19a-92a, 19a-93, 19a-94, 19a-94a, 19a-102a, 19a-103, 19a-104,  
897 19a-105, 19a-108, 19a-109, 19a-110, 19a-110a, 19a-111, 19a-111a, 19a-  
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900 19a-122b, 19a-123d, 19a-124, 19a-125, 19a-148, 19a-175, 19a-176, 19a-  
901 178, 19a-179, 19a-180, 19a-181a, 19a-182, 19a-183, 19a-184, 19a-186, 19a-  
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909 490d, 19a-490e, 19a-490g, 19a-491, 19a-491a, 19a-491b, 19a-492, 19a-493,  
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912 507b, 19a-507c, 19a-507d, 19a-508, 19a-509a, 19a-512, 19a-514, 19a-515,  
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914 19a-526, 19a-527, 19a-528, 19a-530, 19a-531, 19a-533, 19a-534a, 19a-535,  
915 19a-535a, 19a-536, 19a-537, 19a-538, 19a-540, 19a-542, 19a-547, 19a-550,  
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917 19a-634, 19a-637, 19a-638, 19a-639, 19a-645, 19a-646, 19a-663, 19a-673,  
918 19a-675, 20-8, 20-8a, 20-9, 20-10, 20-11, 20-11a, 20-11b, 20-12, 20-12a, 20-  
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922 74dd, 20-86b, 20-86c, 20-86d, 20-86f, 20-86h, 20-90, 20-92, 20-93, 20-94,  
923 20-94a, 20-96, 20-97, 20-99, 20-99a, 20-101a, 20-102aa to 20-102ee,  
924 inclusive, 20-103a, 20-106, 20-107, 20-108, 20-109, 20-110, 20-114, 20-  
925 122a, 20-122b, 20-122c, 20-123a, 20-126b, 20-126h, 20-126j, 20-126k, 20-  
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936 20-402, 20-404, 20-406, 20-408, 20-416, 20-474 to 20-476, inclusive, 20-  
937 571, 20-578, 21-7, 21a-11, 21a-86a, 21a-86c, 21a-116, 21a-138, 21a-150,  
938 21a-150a, 21a-150b, 21a-150c, 21a-150d, 21a-150f, 21a-150j, 21a-240, 21a-  
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940 22-165, 22-332b, 22-344, 22-358, 22a-29, 22a-54, 22a-65, 22a-66a, 22a-66l,  
941 22a-66z, 22a-115, 22a-119, 22a-134g, 22a-134bb, 22a-137, 22a-163a, 22a-

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943 22a-295, 22a-300, 22a-308, 22a-337, 22a-352, 22a-354i, 22a-354k, 22a-  
944 354w, 22a-354x, 22a-354aa, 22a-355, 22a-356, 22a-358, 22a-361, 22a-363b,  
945 22a-371, 22a-378, 22a-423, 22a-424, 22a-426, 22a-430, 22a-434a, 22a-449i,  
946 22a-471, 22a-474, 22a-601, 25-32, 25-32b, 25-32c, 25-32d, 25-32e, 25-32f,  
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948 33e, 25-33f, 25-33g, 25-33h, 25-33i, 25-33j, 25-33k, 25-33l, 25-33n, 25-34,  
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951 25-129, 25-137, 26-22, 26-119, 26-141b, 26-192a, 26-192b, 26-192c, 26-  
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953 31-111b, 31-121a, 31-222, 31-374, 31-397, 31-398, 31-400, 31-401, 31-402,  
954 31-403, 32-23x, 38a-180, 38a-199, 38a-214, 38a-514, 38a-583, 45a-743,  
955 45a-745, 45a-749, 45a-750, 45a-757, 46a-28, 46a-126, 46b-26, 46b-172a,  
956 47a-52, 52-146f, 52-146k, 52-473a, 52-557b, 53-332, 54-102a, 54-102b, 54-  
957 142k, 54-203.

958 Sec. 30. Section 19a-40 of the general statutes is repealed and the  
959 following is substituted in lieu thereof:

960 The Department of Public Health shall have general supervision of  
961 the state system of registration of births, marriages, [and] deaths and  
962 fetal deaths, and shall [prepare] develop the necessary uniform  
963 methods and forms for obtaining and preserving such records in order  
964 to insure the faithful registration of [the same] such records in the  
965 several towns and in [said] the department. [Said] The department  
966 shall recommend such forms, procedures and legislation as are  
967 necessary to secure complete and accurate registration of vital statistics  
968 throughout the state. The Commissioner of Public Health shall be the  
969 superintendent of registration of vital statistics.

970 Sec. 31. Section 19a-41 of the general statutes is repealed and the  
971 following is substituted in lieu thereof:

972 The Commissioner of Public Health shall adopt regulations, in  
973 accordance with the provisions of chapter 54, specifying the methods

974 of ~~reporting,~~ recording, [preserving] ~~issuing,~~ ~~maintaining,~~ indexing,  
975 ~~correcting~~ and amending vital records and statistics collected under  
976 the provisions of sections 19a-42 to 19a-45, inclusive, chapter 93 or  
977 chapter 815e. The commissioner shall [prepare] ~~develop~~ such forms,  
978 ~~formats and uniform procedures~~ as [he] ~~the commissioner~~ deems  
979 necessary to carry out the provisions of sections 19a-42 to 19a-45,  
980 inclusive, chapter 93 and chapter 815e. [The penalty provided for by  
981 section 7-41 shall not apply to registrars of vital statistics not  
982 complying with such regulations, if such registrars have complied in  
983 all other respects with the provisions of the statutes to which said  
984 penalty is applicable.]

985 Sec. 32. Section 19a-42 of the general statutes is repealed and the  
986 following is substituted in lieu thereof:

987 (a) To protect the integrity and accuracy of vital records, a certificate  
988 registered under chapter 93 may be amended only in accordance with  
989 sections 19a-41 to 19a-45, inclusive, chapter 93, [and] regulations  
990 adopted by the Commissioner of Public Health pursuant to chapter 54  
991 ~~and uniform procedures prescribed by the commissioner.~~ [When a  
992 certificate is amended under this section the commissioner shall report  
993 the amendment to the registrars of vital statistics affected and their  
994 records shall be amended accordingly.] ~~Only the commissioner may~~  
995 ~~amend birth certificates to reflect changes concerning parentage or~~  
996 ~~gender change. Amendments related to parentage or gender change~~  
997 ~~shall result in the creation of a replacement certificate that supersedes~~  
998 ~~the original, and shall in no way reveal the original language changed~~  
999 ~~by the amendment. Any amendment to a vital record made by the~~  
1000 ~~registrar of vital statistics of the town in which the vital event occurred~~  
1001 ~~shall be in accordance with such regulations and uniform procedures.~~

1002 [(b) A certificate that is amended under this section shall be marked  
1003 "Amended" on the original. The date of amendment and a summary  
1004 description of the evidence submitted in support of the amendment  
1005 shall be endorsed on or made a part of the record. The original birth,  
1006 death or marriage certificate shall be sealed and kept in a confidential

1007 file at the Department of Public Health and may be unsealed only  
1008 upon the order of the Commissioner of Public Health. A copy of the  
1009 original shall be made and such copy shall be amended in such a  
1010 manner that the language to be changed is no longer visible. The copy  
1011 shall be a public record. The Commissioner of Public Health shall  
1012 prescribe by regulation, adopted in accordance with chapter 54, the  
1013 conditions under which additions or minor corrections may be made  
1014 to vital records within one year after the date of the event without the  
1015 vital record being marked "Amended".]

1016 (b) The commissioner and the registrar of vital statistics shall  
1017 maintain sufficient documentation, as prescribed by the commissioner,  
1018 to support amendments and shall ensure the confidentiality of such  
1019 documentation as required by law. The date of amendment and a  
1020 summary description of the evidence submitted in support of the  
1021 amendment shall be endorsed on or made part of the record and the  
1022 original certificate shall be marked "Amended", except for  
1023 amendments due to parentage or gender change. When the registrar of  
1024 the town in which the vital event occurred amends a certificate, such  
1025 registrar shall, within ten days of making such amendment, forward  
1026 an amended certificate to the commissioner and to any registrar  
1027 having a copy of the certificate. When the commissioner amends a  
1028 birth certificate, including changes due to parentage or gender, the  
1029 commissioner shall forward an amended certificate to the registrars of  
1030 vital statistics affected and their records shall be amended accordingly.

1031 (c) An amended certificate shall supercede the original certificate  
1032 that has been changed and shall be marked "Amended", except for  
1033 amendments due to parentage or gender change. The original  
1034 certificate in the case of parentage or gender change shall be physically  
1035 or electronically sealed and kept in a confidential file by the  
1036 department and the registrar of any town in which the birth was  
1037 recorded, and may be unsealed for viewing or issuance only upon a  
1038 written order of a court of competent jurisdiction. The amended  
1039 certificate shall become the public record.



1040        [(c)] (d) (1) Upon receipt of (A) [a voluntary] an acknowledgment of  
1041        paternity executed in accordance with the provisions of subsection (a)  
1042        of section 46b-172 by both parents of a child born out of wedlock, or  
1043        (B) a certified copy of an order of a court of competent jurisdiction  
1044        establishing the paternity of a child born out of wedlock, the  
1045        [Commissioner of Public Health] commissioner shall include on or  
1046        amend, as appropriate, such child's birth certificate to show such  
1047        paternity if paternity is not already shown on such birth certificate or  
1048        to change the [surname] name of the child or both. [Such certificate] If  
1049        another father is listed on the birth certificate, the department shall not  
1050        remove or replace the father's information unless presented with a  
1051        court order that meets the requirements specified in section 7-50, as  
1052        amended by this act. Birth certificates amended under this subsection  
1053        shall not be marked "Amended".

1054        (2) The commissioner shall thereafter amend such child's birth  
1055        certificate to remove or change the father's name [only upon the filing  
1056        of a rescission in the paternity registry established under section 19a-  
1057        42a, as provided in subsection (a) of section 46b-172, or upon the order  
1058        of a court of competent jurisdiction] and to change the name of the  
1059        child, as requested at the time of the filing of a rescission, in  
1060        accordance with the provisions of section 7-50, as amended by this act.

1061        (3) A fee of twenty-five dollars shall be charged by the [Department  
1062        of Public Health] department for each amendment to a birth certificate  
1063        requested pursuant to this subsection which request is not received  
1064        from a hospital, a state agency or a court of competent jurisdiction.

1065        (e) When the parent or parents of a child requests the amendment of  
1066        the child's birth certificate to reflect a new mother's name because the  
1067        name on the original certificate is fictitious, such parent shall obtain an  
1068        order of a court of competent jurisdiction declaring the putative  
1069        mother to be the child's mother. Upon receipt of a certified copy of  
1070        such order, the department shall amend the child's birth certificate to  
1071        reflect the mother's true name.

1072        [(d)] (f) Upon receipt of a certified copy of an order of a court of  
1073 competent jurisdiction changing the name of a person born in this state  
1074 and upon request of such person or [his] such person's parents,  
1075 guardian, or legal representative, the [Commissioner of Public Health  
1076 shall] commissioner or the registrar of vital statistics of the town in  
1077 which the vital event occurred shall amend the birth certificate to show  
1078 the new name by a method prescribed by the department.

1079        [(e)] (g) When an applicant submits the documentation required by  
1080 the regulations to amend a vital record, the [Commissioner of Public  
1081 Health] commissioner shall hold a hearing, in accordance with chapter  
1082 54, if the commissioner has reasonable cause to doubt the validity or  
1083 adequacy of such documentation.

1084        [(f)] (h) When an amendment under this section involves the  
1085 changing of existing language on a death certificate due to an error  
1086 pertaining to the cause of death, the death certificate shall be amended  
1087 in such a manner that the original language is still visible. A copy of  
1088 the death certificate shall be made. The original death certificate shall  
1089 be sealed and kept in a confidential file at the [Department of Public  
1090 Health] department and only the [Commissioner of Public Health]  
1091 commissioner may order it unsealed. The copy shall be amended in  
1092 such a manner that the language to be changed is no longer visible.  
1093 The copy shall be a public document.

1094        Sec. 33. Subsection (a) of section 19a-45 of the general statutes is  
1095 repealed and the following is substituted in lieu thereof:

1096        (a) The Department of Public Health may, by agreement, transmit  
1097 copies of vital records required by sections 7-42, 7-45, 7-46, [7-47a,] 7-  
1098 47b, 7-48, 7-50, 7-57, 7-60, 7-62b, 7-62c, 7-64, 7-65, 7-68 and 19a-41 to  
1099 19a-45, inclusive, to offices of vital statistics outside this state when  
1100 such records relate to residents of those jurisdictions or persons born in  
1101 those jurisdictions. The agreement shall require that the copies be used  
1102 for statistical and administrative purposes only and the agreement  
1103 shall further provide for the retention and disposition of such copies.

1104 Copies received by the [Department of Public Health] department  
1105 from offices of vital statistics in other states shall be handled in the  
1106 same manner as prescribed in this section.

1107 Sec. 34. Section 46b-25 of the general statutes is repealed and the  
1108 following is substituted in lieu thereof:

1109 No license may be issued by the registrar until both persons have  
1110 appeared before [him] the registrar and made application for a license.  
1111 The [application] license shall be dated, signed and sworn to by each  
1112 applicant and shall state each applicant's name, age, [Social Security  
1113 number,] race, [occupation,] birthplace, residence, whether single,  
1114 widowed or divorced and whether under the supervision or control of  
1115 a conservator or guardian. The Social Security numbers of the bride  
1116 and the groom shall be recorded in the "administrative purposes"  
1117 section of the license. If the [application] license is signed and sworn to  
1118 by the applicants on different dates, the earlier date shall be deemed  
1119 the date of application. [All the applications, when so made, shall be  
1120 kept separately and available for public examination until the license is  
1121 issued, and shall be filed as a part of the records of the registrar when  
1122 the license certificate is returned as provided in section 46b-34.]

1123 Sec. 35. Subsection (a) of section 45a-750 of the general statutes is  
1124 repealed and the following is substituted in lieu thereof:

1125 (a) A certificate of birth registration or a certified copy of the  
1126 certificate of birth shall be issued in accordance with [section 7-52 or 7-  
1127 56] subsection (c) of section 7-51, as amended by this act, or section 7-  
1128 52, as amended by this act, to any adoptable person by the Department  
1129 of Public Health whether or not such person knows the names of his or  
1130 her birth parents, provided such department is satisfied as to the  
1131 identity of the person for whom the certificate is being requested. Any  
1132 child-placing agency, the department or any court having information  
1133 which is needed to locate such certificate shall furnish it to the  
1134 Department of Public Health.

1135 Sec. 36. Subsection (d) of section 17b-137a of the general statutes is

1136 repealed and the following is substituted in lieu thereof:

1137 (d) Any Social Security number of any individual on any record or  
1138 document required pursuant to this section shall not be disclosed  
1139 except as provided under section 17b-137 or subsection (c) of section 7-  
1140 51a, as amended by this act.

1141 Sec. 37. Sections 7-41a, 7-47a and 7-56 of the general statutes are  
1142 repealed.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

**State Impact:** None

**Affected Agencies:** Department of Public Health

**Municipal Impact:** None

### **Explanation**

**State Impact:**

Provisions in this bill as amended are either technical in nature, codify current practice, or make changes which can be accommodated by the State Registrar of Vital Records within the anticipated budgetary resources of the Department of Public Health.

It should be noted that funding has been included within sHB 6668 (the Appropriations Act, as favorably reported by the Appropriations Committee) to reflect continuing costs of an electronic vital records system (EVRS). The agency devotes approximately \$170,000 each year to this initiative. This sum supports one staff position and an outside contract for computer maintenance services.

**Municipal Impact:**

The bill as amended extends the option to local registrars of vital statistics to participate in an electronic vital records system. The decision to do so may be affected by local resources, as the purchase of a computer would be required.

Other provisions in the bill as amended are technical in nature, codify current practice, remove obsolete statutory sections or make changes that will result in minor workload changes for local registrars.

House "A" eliminates a provision of the original bill that restricted fees charged by registrars of vital statistics for uncertified copies of birth, death and marriage certificates that are more than a century old to rates set under the Freedom of Information Act. The amendment also restricts access to uncertified copies of these documents to researchers and state or federal agencies approved by the Department of Public Health. This averts the potential minimal revenue loss to the state and the potential indeterminate revenue loss to municipalities associated with the original bill. Under current law, the State Registrar collects a fee of \$15 for certified copies of birth and \$5 for certified copies of death and marriage certificates. The fee for a certified copy of a birth, death or marriage certificate issued by a local registrar is \$5. Pursuant to the original bill, DPH could only have charged \$0.25 per page for uncertified copies, while local registrars could only have charged \$0.50 per page.

Other provisions in the amendment are technical in nature or make changes that will not affect the fiscal impact of the original bill.

House "B" changes the protocol for recording social security numbers on death certificates. It also allows additional persons to receive copies of death certificates containing the deceased's social security number under certain circumstances. No fiscal impact is associated with these changes.

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**OLR Bill Analysis**

sHB 6569 (as amended by House "A" and "B")\*

**AN ACT CONCERNING VITAL RECORDS.****SUMMARY:**

This bill makes a number of substantive and technical changes in the statutes on vital records, affecting both the Department of Public Health (DPH) and local registrars of vital statistics. It: (1) specifies that vital records include fetal death certificates in addition to birth, marriage, and death certificates and makes the necessary conforming changes; (2) allows DPH and local registrars to transmit and register vital records electronically and defines terms to address vital records in both electronic and paper format; (3) makes a number of changes concerning birth certificates addressing access, confidentiality, data usage, copies, paternity acknowledgements, name changes, and adoption; (4) allows certain people to access Social Security numbers on marriage licenses and death certificates; (5) allows out-of-state funeral directors and embalmers from states with reciprocal agreements with Connecticut to undertake a number of activities; (6) requires DPH to develop uniform procedures concerning vital records and modifies its regulatory authority; (7) clarifies how DPH must administer the state system of registration of births, marriages, deaths, and fetal deaths; (8) standardizes the fees for vital records including setting the same \$2 fee for recording fetal deaths as for other vital records; and (9) eliminates outdated or contradictory provisions.

\*House Amendment "A" eliminates provisions in the original bill on gestational agreements although it doesn't eliminate two references to them in other parts of the bill; requires that each birth certificate contain the name of the birth mother beginning January 1, 2002; specifies when a father's name can be removed from a birth certificate; clarifies who can purchase vital records and under what conditions; makes other changes concerning filing of, and access to, vital records; and makes technical changes.

\*House Amendment "B" requires recording the deceased's Social Security number on the face of the death certificate and makes other changes concerning access to death certificates.

EFFECTIVE DATE: October 1, 2001

## **DUTIES OF REGISTRARS OF VITAL STATISTICS**

### ***Record Keeping (§§4, 5)***

Current law provides a number of procedures that registrars must follow in recording, filing, indexing, and binding in book form the vital statistics accumulated. This bill eliminates these particular procedures and instead directs each registrar to keep records according to regulations the DPH commissioner adopts. Any certified copy of a vital record must include all information DPH requires.

The bill requires each registrar to keep records on fetal deaths in addition to marriages, births, and deaths and eliminates a requirement to keep such records in "books." A registrar currently must amend or correct certificates when he discovers errors on their face. The bill requires him to correct birth, marriage, death, and fetal death certificates whenever he finds transcribing, typographical, or clerical errors.

Under the bill, when the registrar corrects a certificate, he must forward an authenticated copy of the corrected certificate, within 10 days, to DPH and any other registrar having a copy of the certificate. The registrar must keep sufficient documentation, as prescribed by DPH, to support the correction and must ensure its confidentiality. The date of correction and a summary of the evidence supporting it must be part of the record. The certificate cannot be marked "amended" unless an amendment is made as provided by law. "Amendment" under the bill means to (1) change or enter new information on a birth, marriage, death, or fetal death certificate more than one year after the date of the vital event recorded in it, in order to accurately reflect the facts existing at the time the event was recorded; (2) create a replacement certificate of birth for matters relating to parentage or gender change; or (3) change a certificate to reflect changed facts since the time it was prepared, including a legal name change or modification in cause of death.



The bill changes from the seventh to the 15<sup>th</sup> day of each month the date the registrar must send to DPH an authenticated copy of each birth, marriage, death, and fetal death he receives for the preceding month.

### ***Official Seal (§3)***

By law, the registrar of vital statistics in each town has an official seal used to authenticate certificates and copies of records. The bill specifies that only the registrar or his authorized agent can possess the official seal or any facsimile.

### ***Filling Out And Signing Certificates (§7)***

The bill subjects fetal death certificates to the current requirements for filling out and signing birth, marriage, and death certificates. It provides that if a certificate is in electronic format, it must be authenticated by DPH's electronic vital records system (EVRS).

### ***Indexes (§9)***

The law requires registrars to keep alphabetically arranged indexes of the names of each person whose birth, marriage, or death he records. The bill applies this to fetal deaths and requires that the registrar keep separate indexes for each group of vital events.

### ***Transmitting Records (§6)***

The bill requires the registrar to record on each certificate the date it was received, by writing on the certificate or through electronic means. It allows the registrar from the town where a child was born to electronically access birth data for the child to make corrections and amendments as requested by the parents, the reporting hospital, or DPH, excluding amendments concerning parentage and gender change (only DPH can change these). Amendments to vital records made by the registrar in the town of occurrence must be made according to law (see below).

Current law requires the registrar to send to DPH, by the seventh day of the month, an attested copy of each death certificate he receives for the preceding calendar month or a notification that he received none. By the 15<sup>th</sup> of the month, he must do the same for birth and marriage

certificates. The bill instead requires him to send an “authenticated” copy of each birth, marriage, death, or fetal death certificate to DPH by the seventh day of the month or a notification that none was received. “Authenticated,” under the bill, means to affirm a record’s integrity by affixing the official seal to a paper record or, in the case of an electronic format, the user identification, password, or other means of electronic identification of the record’s creator, as approved by DPH.

The bill requires that copies of certificates sent DPH be complete, in addition to the current requirements that they be plain and legible. DPH must request a complete or legible copy from the registrar.

### **COPIES OF CERTIFICATES FILED IN ANOTHER TOWN (§6)**

The law requires the registrar in a town where a birth, marriage, or death certificate is filed to make a certified copy of it and send it to the registrar of another town when it appears that the residence of the child’s mother, either party to the marriage, or the deceased was in another town. The bill adds a fetal death certificate to this list and requires that the transmitted copy of any certificate be authenticated and include all information on the certificate.

The bill specifies that a registrar with access to an EVRS can use the system to meet the certificate filing requirements. But if the town of residence does not have access to an EVRS, the registrar of the town where the vital event occurred must manually transmit the authenticated copy to the other town.

Under the bill, a registrar with authorized access to DPH’s EVRS can access vital records through the system to view, print, and issue certificates to authorized individuals. But only the registrar of the town where the vital event occurred or DPH can correct or amend the certificates.

### **FILING REQUIREMENTS FOR BIRTH CERTIFICATES (§10)**

The bill allows a registrar to file a birth certificate by manual or electronic means. It eliminates a requirement that, after three years, DPH destroy the confidential medical and statistical data on birth certificates. (The bill sets no time limit.) The bill allows local health directors access to medical and confidential birth data recorded in the town and records related to mothers who were residents of the town at

the time of birth. It also allows hospitals to use birth certificate and confidential data they generate internally for statistical, health, and quality-assurance purposes.

By law, when a birth occurs in an institution (public or private facility providing inpatient medical, surgical, or diagnostic care or nursing, custodial, or domiciliary care) or en route to it, the person in charge of the institution must complete the certificate, get the required signatures, and file it with the registrar of the town where the birth occurred. This must be done within 10 days of the birth. The bill instead requires the institution head to obtain all available data required by the certificate; prepare it; and certify either by signature or electronic process approved by DPH that the child was born alive at the place, time, and date stated. It requires, in addition to the physician in attendance at the birth, that the physician, institution, or other person providing prenatal care provide the medical information required by the certificate.

### **RESTRICTIONS ON BIRTH CERTIFICATE CONTENT (§§11, 28)**

The law allows recording information on whether a child was born in or out of wedlock and the mother's marital status on a confidential portion of the birth certificate. The name of the father is entered on the birth certificate when a voluntary acknowledgement or adjudication of paternity is filed in DPH's paternity registry. The bill instead allows such an entry on the birth certificate after an acknowledgement of paternity is completed at a hospital, or at a town in the case of a home birth, and transmitted to DPH.

The bill requires that, as of January 1, 2002, each birth certificate contain the name of the birth mother, except if a court orders otherwise.

The bill requires DPH to file in its paternity registry all post-birth acknowledgements or adjudications of paternity it receives. DPH must enter the father's name on the birth record or certificate, if no paternity is already recorded on it. If another father's information is already recorded on the certificate, it cannot be removed unless DPH receives a court order (1) finding that the person recorded on the birth certificate is not the child's father, or (2) finding that a different person other than the one recorded, is the child's father.

## **RESTRICTIONS ON EXAMINATION OF BIRTH CERTIFICATES AND RECORDS (§12)**

Current law allows access to an original or copy of any birth certificate or birth record by: (1) the person, if over 18, whose birth is recorded; (2) his parent, guardian, or grandparent, if a minor; (3) his children or spouse; (4) the chief executive officer of the municipality or his authorized agent; (5) the local health director or his agent; (6) lawyers; (7) title examiners; and (8) genealogical associations.

The bill requires DPH and registrars to restrict access of birth and fetal death records and certificates less than 100 years old to those listed above. It also adds to those with access: (1) the grandchildren of the individual, (2) agents of a state or federal agency as approved by DPH, and (3) researchers approved by DPH. The bill prohibits release of confidential files on paternity, adoption, gender change, or gestational agreements, or information in those files, to any party, including those listed above, without a court order except to the Bureau of Child Support Enforcement. It does not condition parental, grandparent, or guardian access on the person being a minor. The bill also specifies that, for genealogical associations to have access, they must be incorporated or authorized by the secretary of the state to operate in the state. Attorneys and title examiners can obtain the certificate only if they represent the individual or his child, parent, spouse, or guardian. For a local health director to have access, he must be from the town where the birth or fetal death occurred or where the mother resided at the time of the event.

The bill prohibits anyone, except those listed above, from examining or receiving a copy of any birth or fetal death certificate, record or information, or disclosing anything found in one, except with a court order. The bill does not allow disclosing of information in the "information for medical and health use only" or the "information for statistical purposes only" section of a certificate, other than Social Security numbers and parental race and ethnicity information recorded in the "administrative purposes" section of a birth or fetal death certificate, unless specifically authorized by DPH for statistical or research purposes. The confidential information, other than the excluded information noted above, is not subject to subpoena or court order and is not admissible in court or any other tribunal under the bill.

The bill allows the registrar of the town where the birth or fetal death occurred or where the mother resided at the time of the event, or DPH, to issue a certified copy of a birth or fetal death certificate which is in paper form in the custody of the registrar. A registrar with authorized access to DPH's EVRS can issue a certified copy of the electronically filed certificate. The paper or electronic certificate must be issued upon written request of an eligible party (see above). DPH and registrars may only issue certified copies of birth or fetal death certificates for those occurring less than 100 years before the request.

## **OBTAINING COPIES OF VITAL RECORDS**

### ***Purchases of Records (§13)***

Current law allows anyone 18 or older to purchase certified copies of marriage and death records and copies of birth records that are at least 100 years old that are in the custody of any registrar. This bill also allows purchase of certified copies of birth and fetal death records, subject to the 100 years or older rule. The bill specifically excludes genealogical society members from access to confidential files on gender change, gestational agreements, and paternity. The bill also allows DPH to issue uncertified copies of death certificates for deaths occurring less than 100 years ago, and uncertified copies of birth, marriage, death, and fetal death occurring at least 100 years ago to researchers and state and federal agencies approved by DPH.

### ***Marriage Licenses (§§13, 34 )***

The bill requires that the Social Security numbers of the bride and groom be recorded in the "administrative purposes" section of all marriage licenses and applications for them. All parties specified on a license (bride, groom, officiator of the marriage, town clerk, registrar, and others authorized by DPH) have access to the Social Security numbers. Any other person, researcher, or state or federal agency requesting a certified or uncertified copy of a marriage license must be given a copy with the Social Security numbers removed or redacted or with the administrative purposes section omitted.

The bill eliminates a provision of current law allowing for public examination of a marriage license application until the license is issued and it eliminates "occupation" from the license application.

**Deaths (§13)**

The bill requires the recording the deceased's Social Security number on the face of the death certificate. It requires recording in the "administrative purposes" section of a death certificate the Social Security number, occupation, business, race, Hispanic origin if applicable, and educational level of the deceased. All parties listed on the certificate have access to the Social Security numbers on both the original and certified copy of the death certificate. (These include the informant, licensed funeral director, embalmer, conservator, spouse, physician, town clerk, and others authorized by DPH.) Others requesting a certified or uncertified copy for a death occurring after July 1, 1997 must be given it, if over 60 days have passed since the death, with the Social Security number included and the administrative purposes section omitted.

**CERTIFICATION OF BIRTH REGISTRATION (§14)**

The bill adds the grandparent, guardian, and the child of the birth subject (if over 18) to those who can obtain a certification of birth registration ("wallet size" birth certificates). It allows DPH to prescribe additional identifying information for inclusion on the registration.

The registrar of any town with access to a DPH-authorized EVRS can use that system to issue a certification of birth registration.

**BIRTH CERTIFICATES OF ADOPTED PERSONS (§15)**

The law requires DPH to prepare a new birth certificate after someone is adopted. The bill prohibits issuing a new certificate if the court decreeing the adoption; the adoptive parents; or the adopted person, if over 14, so requests. Anyone seeking to examine or get a copy of the original birth record or certificate must first get a written order from the probate court judge from the district in which the adopted person was adopted or born. After receiving the court order, the registrar of the town in which the birth was recorded or DPH may issue (1) a certified copy of the original certificate with a notation that the original birth certificate has been superseded by a replacement certificate on file or (2) permit the examination of the record.

## **CERTIFICATION OF BIRTH REGISTRATION OF PEOPLE ADOPTED FROM ANOTHER STATE OR NATION (§16)**

The bill lowers from 18 to 16 the age at which a person born outside of the state or country and adopted by state residents can obtain a certification of birth registration.

## **BELATED BIRTH REGISTRATIONS (§17)**

The bill requires a registrar to provide DPH with a copy of a certificate for a belated registration of birth.

## **ILLEGAL ISSUANCE OF CERTIFICATES (§21)**

The law prohibits anyone other than a registrar or DPH from issuing an original or certified copy of a birth, death, fetal death, or marriage certificate. This bill prohibits anyone other than a registrar or DPH from issuing uncertified copies of such certificates.

## **OUT-OF-STATE FUNERAL DIRECTORS AND EMBALMERS (§§22, 23, AND 24)**

The bill allows licensed funeral directors or embalmers from another state who comply with DPH reciprocal agreements to complete a death certificate when they are in charge of the burial.

The law allows licensed embalmers and funeral directors to remove a dead person's body from one town to another or to another state. The bill also allows licensed embalmers and funeral directors from another state who comply with a reciprocal agreement with DPH to remove bodies from one town to another or to another state. It allows these out-of-state embalmers and directors to sign a Connecticut death certificate.

The bill allows embalmers and funeral directors licensed in states with reciprocal agreements with DPH to temporarily remove a body for preparation for burial or cremation. The bill eliminates a requirement that the body must be returned within 24 hours to the Connecticut town where the death occurred unless a permit for permanent removal is obtained.

## **DPH AUTHORITY AND RESPONSIBILITIES (§31)**

By law, DPH must adopt regulations on methods of recording, preserving, indexing, and amending vital records. The bill specifies that the regulations must also address reporting, issuing, maintaining, and correcting the records. It also directs the department to develop uniform procedures concerning vital records.

### ***Amendments to Certificates (§32)***

The bill specifies that only the DPH commissioner can amend birth certificates to reflect changes concerning parentage or gender change. Amendments related to such changes must result in a replacement certificate that supersedes the original and must not reveal the original language changed by the amendment. Any amendment made by a local registrar must follow DPH regulations and uniform procedures.

The bill directs DPH and registrars to maintain sufficient documentation, as determined by DPH, to support amendments and ensure the confidentiality of the documentation. The amendment date and a summary of the evidence submitted supporting the amendment must be endorsed on, or made part of, the record, and the original certificate must be marked “Amended,” except for amendments due to parentage or gender change.

A registrar amending a certificate must forward the amended certificate within 10 days to DPH and to any registrar having a copy of the certificate. DPH must forward any certificate it amends, including changes due to parentage or gender, to the registrars affected, who in turn must amend their records.

An amended certificate supersedes the original and must be marked “Amended” except for changes due to parentage and gender. The original certificate, in the case of parentage or gender change, must be physically or electronically sealed and kept in a confidential file by DPH and the registrar affected. It can be unsealed for viewing or issuance only by court order. The amended certificate becomes the public record.

### ***Amendments –Paternity (§32)***

By law, DPH must include on, or amend, a birth certificate to reflect an acknowledgement of paternity in a case of a child born out of wedlock.



The bill specifies that if another father is listed on the birth certificate, DPH cannot remove or replace that name unless it is given a court order meeting the requirements specified above. As under current law, these amended birth certificates must not be marked "Amended."

### ***Name Change (§32)***

The bill gives DPH the authority to change the child's name, if requested, when paternity is rescinded. Currently, only the father's name can be removed from the birth certificate when paternity is rescinded.

Under the bill, when a parent requests amendment of the child's birth certificate to reflect a new mother's name because the name on the original is fictitious, the parent must get a court order declaring the putative mother to be the child's mother. DPH must amend the birth certificate after receiving the court order.

The bill also permits the local registrar in the town of occurrence to amend the birth certificate to reflect a person's court-ordered name change and requires him to follow DPH methods.

## **BACKGROUND**

### ***Legislative History***

On May 1, the House referred this bill to the Planning and Development Committee which reported it favorably without changes on May 7. On May 4 the House referred the bill to the Judiciary Committee which reported it favorably without change on May 9. On May 11, the House referred the bill to the General Law Committee which report it favorably without change on May 16.

### ***Related Bill***

HB 5051 (File 489), favorably reported by the Public Health Committee, allows anyone to access and examine, but not copy, an original birth certificate or a copy, or birth record strictly for family research on that person.

## **COMMITTEE ACTION**

## Public Health Committee

Joint Favorable Substitute

Yea 25      Nay 0

## Planning and Development Committee

Joint Favorable Report

Yea 15      Nay 0

## Judiciary Committee

Joint Favorable Report

Yea 32      Nay 0

## General Law Committee

Joint Favorable Report

Yea 15      Nay 0